

**TOWN COUNCIL
REGULAR MEETING
MAY 1, 1996
7:00 P.M.**

1. PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:03 p.m. by Mayor Venis and was followed by the Pledge of Allegiance.

2. ROLL CALL

Present were Mayor Venis, Vice-Mayor Cox and Councilmembers Bush, Kiar and Santini. Also present were Town Administrator Flatley, Town Attorney Webber, and Town Clerk Reinfeld recording the meeting.

3. OPEN PUBLIC MEETING

Mayor Venis advised the speakers of the Open Public Meeting procedures.

Tim Sheehan, representing the Boys & Girls Club, advised that next year's WestFair events were scheduled for February 21 - March 2, 1997.

Mr. Sheehan indicated that first year events did not make a profit. He stated that the 1996 WestFair cost over \$653,000 with 52% this amount going towards the events that were held in the arena. Mr. Sheehan advised that the Chamber of Commerce received \$30,000 and it cost the Boys & Girls Club approximately \$51,000. He said that a lot of support was provided by the Town, the staff and the community.

Jay Stahl, 5801 Surrey Circle West, stated that he was not opposed to the new police facility nor the use of forfeiture funds for the purchase of the land. He questioned how much was in the forfeiture fund and asked for an accounting.

Mr. Stahl stated that last October, his homeowner's association had requested "no parking" signs installed on the swale on Dykes and Stirling Roads. He asked for an update. Assistant Town Administrator Robert Rawls indicated that this request was submitted to Broward County who had committed to accomplishing the placement of signs.

Mayor Venis advised that with the purchase of the land for the new police facility, the forfeiture fund would be basically "zeroed out".

Hertz Halperin, 7514 SW 28 Street, discussed the water deposit required of all unit owners, condominium, and apartments. He thought it unconscionable for the Town to hold deposits for a long time and then refunding it without interest. Mr. Halperin requested that the Town discuss the feasibility of returning the deposits.

Al Tyler, 8090 SW 19 Court, discussed the confusion with land use plan amendments and he resented staff trying to "sell" an amendment to Council. He stated that he did not think an opinion was needed from the Town's planner.

Michael Davenport, 14041 SW 22 Place, distributed and discussed an investigation conducted by the Miami Herald regarding blasting. He asked that Council request Mr. Webber to draft a no blasting ordinance for the Town. Mr. Webber advised that he was trying to arrange a meeting with the different municipal administrator's to discuss the blasting issue.

Phyllis Kowal, 14491 SW 24 Street, discussed the proposed road in Forest Ridge as there was already a road.

Ms. Kowal advised that she was becoming involved in the Town's activities and recommended that every resident become involved with the Town and its Council.

Mr. Tyler discussed the Town selling six acres of open space.

Debbie Apolinario, 2940 SW 148 Avenue, thanked Bonnie Stafiej and the Town for the Easter egg hunt.

Ms. Apolinario asked why a traffic survey was being conducted on Shotgun Road.

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Mr. Rawls advised that Broward County conducted quarterly counting throughout the County.

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Ms. Apolinario advised that Flamingo Gardens was not backing the Town in putting a trail in that area. She asked that everyone advise the Gardens that they do not approve of its behavior.

Ms. Kowal advised that Pat Grimson's granddaughter, Amanda, had been diagnosed with a disorder that affected the ligaments and tendons as well as all major organs that used collagen. She stated that a benefit was being held on May 18th at the Cooper City American Legion Post at 7:00 p.m. Ms. Kowal added that donations for an auction could be made by calling 475-8672 and stated that the money for the benefit did not go to Amanda but to the Ehlers Danlos Foundation for Research. She said that tickets could be obtained by calling 473-1683.

4. PRESENTATIONS

4.1 Proposed Police, Fire and EMS Facilities at Nob Hill Road and I-595

Police Chief Jack Mackie provided a history of the current police facilities and discussed the proposed new facility. He indicated that forfeiture funds would be used to purchase the property and had also been used to hire a consultant to prepare the needs analysis.

Fire Chief Michael Donati discussed the proposed fire and EMS facility.

Keith Reeves, representing Architect Design Group, explained the needs analysis study. He indicated that this proposal was suggested to be considered as a voter referendum for the fall and added that there were grant monies that had been suggested which he hoped Council would solicit.

Mr. Flatley indicated that a motion was needed to bring the issue to the voters.

Councilmember Kiar made a motion, seconded by Councilmember Bush, that this issue be presented to the people and placed on the ballot for a referendum in September. Vice-Mayor Cox suggested that the residents look at the conditions of the current Police Department. Mayor Venis indicated that the current facility was cramped and overcrowded. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Chief Mackie stated that he was attending homeowner's association meetings three times a week to discuss the proposed facility. Mayor Venis suggested that a meeting be held with the Nob Hill residents and requested that a representative from the Broward County School Board be present.

4.2 Everglades Pro Bass Center, Take-A-Kid Fishing Tournament

Mayor Venis presented a plaque to Pat and Judy Fitzsimmons for their support in the Tournament.

4.3 The Good Deed Committee

The 1994-95 Recycling Rangers from Silver Ridge Elementary School made a presentation and congratulated the Town for making a difference through recycling and its Open Space Program. The Council received the Silver Ridge Elementary School Student Chamber of Commerce's 1995-1996 Make a Difference Award.

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4.4 Davie/Cooper City Chamber of Commerce

Chuck Bonfiglio, President, advised that a public forum was being held on May 21st at 7:30 p.m. at Western High School to discuss concurrency proposals that would be voted on by the Broward County Commission. He indicated that the second quarterly chairman meeting was held and the Chamber's Economic Development Committee recommended that the Chamber become a catalyst to "prod" Council to try to move forward with the redevelopment in the downtown. Mr. Bonfiglio stated that the Chamber was currently working on "Operation Thank You" which delivered new directories. He added that the Business Card Exchange would be held at Heavenly Ham on May 22nd from 5:00 p.m. to 7:00 p.m.

4.5 Jim Smith, Building Official

Jim Smith stated that the main goal of the Town's Building Division was to provide service to the public. He indicated that this was implemented by making the counter more accessible to the public by giving developers until 3:00 p.m. to provide documents which allowed the residents at least one hour without having to wait. Mr. Smith added that streamlining plan review checklists had been accomplished.

4.6 Summer Programs

Mayor Venis indicated that he had been receiving calls regarding the YMCA Program and the rates of the program. He suggested that brochures be distributed which showed the guidelines for payment. Sharon Pierce-Kent, Director of Community Services, advised that Council had approved a flexible payment plan and an additional 21 scholarships. She explained the flexible payment plan and the programs.

Mayor Venis suggested that in the future, Council be provided with a comparison of previous charges. He asked when the new information would be provided to the schools. Ms. Pierce-Kent advised that the new information would be provided by early the following week.

Councilmember Santini suggested that the Kiwanis and Rotary Clubs help with scholarships.

Renae Griggs, Police Athletic League, advised that the wrestling fundraiser would be held on May 4th with Mayor Venis as the main event. She advised that a car wash was also being held on May 4th at 100th Avenue and Griffin Road.

Bonnie Stafiej, Special Projects Coordinator, advised of the following events: 5 Star Rodeo (May 24th-25th); Memorial Day events (May 26th-27th); and the Ellis Certification Program for lifeguards.

5. OCCUPATIONAL LICENSES *Home Occupational License*

5.1 Signature Interiors, 13101 SW 14 Place

As the applicant was not present, Vice-Mayor Cox made a motion, seconded by Councilmember Kiar, to table this item to May 15, 1996. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

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6. COUNCILMEMBER COMMENTS

COUNCILMEMBER BUSH

COOPER CITY FOUNDER'S DAY PARADE. Councilmember Bush stated that he and Councilmember Santini participated in the parade by riding on the Town's float.

ROTARY LUNCHEON HONORING SCOTT COWAN. Councilmember Bush stated that a luncheon sponsored by the Rotary Club, was held on April 26th honoring Broward County Commissioner Scott Cowan. He advised that the money received from the luncheon would be used to provide scholarships for more than 195 students and for that a student exchange program. Councilmember Bush thanked the Rotary Club for its support.

VICE-MAYOR COX

FUNDRAISERS. Vice-Mayor Cox stated that fundraisers were being held on May 10th for the Emergency Assistance Service Program (golf tournament) and on May 10th for the Davie School foundation (ball drop). She asked that either endeavor be supported.

OPEN SPACE. Vice-Mayor Cox stated that it appeared that a second road may be removed from the Ridge onto an area that had a public right-of-way. She advised that the Town was working with the developer and thanked the individuals who toured the Ridge with her.

COUNCILMEMBER SANTINI

GILDA'S CLUB. Councilmember Santini stated that she had attended the opening for Gilda's Club and explained the importance of the club.

COOPER CITY FOUNDER'S DAY PARADE. Councilmember Santini stated that she enjoyed the parade and thanked Cooper City Mayor SueEllen Fardelmann. She encouraged the placement of the Town's float somewhere visible.

SIGNATURE GRAND. Councilmember Santini stated that Council had toured of the building and she was pleased with the current permitting procedures in the Building Division.

COMMUNITY SUPPORT. Councilmember Santini advised Pat Grimson that the community and everyone sent their support and prayers.

SCHOOL CONCURRENCY. Councilmember Santini advised that she wanted the Town to take formal action so the County understood that the Town needed this issue passed. Council had no objections.

RECYCLING. Councilmember Santini congratulated Silver Ridge Elementary School on the its Student Chamber of Commerce. She said that on the residential side of recycling, the Town was very strong; however, on the business side, recycling fell short. Councilmember Santini asked that the efforts be increased on this issue.

DOWNTOWN REDEVELOPMENT. Councilmember Santini stated that this matter was of importance to her. She advised that Irving Rosenbaum had volunteered his efforts and his student body at Nova Southeastern University to help in the redevelopment program.

COUNCILMEMBER KIAR

BUDGET ADVISORY BOARD. Councilmember Kiar stated that meetings were beginning to be held. Mr. Flatley advised that the next meeting was scheduled for May 9th.

AL TYLER. Councilmember Kiar hoped that Mr. Tyler was feeling better.

BLOODHOUNDS. Councilmember Kiar asked Chief Mackie for an update on the

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bloodhounds. Chief Mackie responded that after numerous discussions with professionals, a more efficient tracking dog was found. He advised that two additional dogs were being proposed for the new fiscal year.

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WHISTLES. Councilmember Kiar asked for an update on the whistles. Chief Mackie replied that the cost to purchase whistles were 35¢ each and there was money available in the Crime Watch Budget. He advised that 500 whistles would be purchased for issuance to the senior citizens.

CHILD SAFETY BOARD. Councilmember Kiar stated that he was impressed with the Board and its support for child safety. He advised that future events would be provided on May 18th at Forest Ridge Community Day, at the dedication of Driftwood Estates park, and at the July 4th celebration. Councilmember Kiar stated that the Board recommended that safety booklets be provided at each event which required a dedicated staff and funds. He indicated that five Board members had made a pledge of \$100 each and thanked the members for their donations. Councilmember Kiar advised that for \$700, enough material for 2,000 children would be provided. He asked that the Town contribute \$300 towards the purchase of supplies.

Councilmember Kiar made a motion, seconded by Councilmember Santini, for the Town to contribute a maximum of \$300 for the purchase of 2,000 booklets and fingerprinting materials. In a voice vote, all voted in favor.

Wayne Arnold, Child Safety Board Chairman, thanked Council and Bonnie Stafiej for their support. He thanked Council for the appointments it made to the Board.

MAYOR VENIS

STUDENT OF THE MONTH CEREMONIES. Mayor Venis congratulated all the students who received an award.

LIBRARY GRANT. Mayor Venis stated that today was the deadline for grant submittal and asked that he and Mr. Flatley meet with Sam Morrison in the next few weeks to see if money could be obtained from the County.

SCARBOROUGH COMMUNITY. Mayor Venis stated that he had received a letter requesting a left turn lane into the development and asked that this matter be followed up with the County.

SPEEDING TRUCKS. Mayor Venis stated that he had received numerous calls regarding speeding dump trucks on 14th Street and on 136th Avenue. Chief Mackie advised that the police would be out in this area until "we could gain control" of the situation.

WAVERLY HUNDRED BARRIER PROJECT. Mayor Venis stated that a meeting was being scheduled with Waverly Hundred and suggested that the other homeowner's association be included. He asked Mr. Rawls to get a firm commitment on the timeframe on the park signs.

ENTRANCE LANDSCAPING. Mayor Venis stated that the landscaping of the main entrance at University Drive had previously been discussed and asked that the plans be shown. Mr. Rawls advised that a presentation would be made to Council.

ORANGE PARK. Mayor Venis stated that the recreation center at Orange Park needed to be repainted. Mr. Rawls indicated that this project had been scheduled.

Mayor Venis advised that item 7.4 needed to be tabled to May 15, 1996.

Vice-Mayor Cox made a motion, seconded by Councilmember Santini, to table item 7.4 to May 15, 1996. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mayor Venis advised that item 9.5 needed to be tabled to June 5, 1996.

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Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to table item 9.5 to June 5, 1996. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mayor Venis advised that item 9.6 had been withdrawn by the petitioner.

7. CONSENT AGENDA

Minutes

7.1 April 17, 1996 - Regular Meeting

Proclamation

7.2 Municipal Clerk's Week, May 5-11, 1996

Resolutions

7.3 **ANNEXATION AGREEMENT - A RESOLUTION OF THE TOWN OF**

R-96-127 **DAVIE, FLORIDA, AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO AN ANNEXATION AGREEMENT BETWEEN EVERGLADES LAKES MOBILE HOME COMMUNITY, LTD., AND THE TOWN OF DAVIE, FLORIDA. (tabled from April 17, 1996)**

7.4 **STAFF REQUESTING A TABLING TO MAY 15, 1996**

SUBDIVISION PLAT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A SUBDIVISION PLAT AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE. (P 2-1-95, Orangewood Farms, SW 118 Avenue, approximately 500 feet south of SW 17 Court) (tabled from April 17, 1996) Planning and Zoning Division denied; Planning and Zoning Board denied

7.5 **SUBDIVISION PLAT - A RESOLUTION OF THE TOWN OF DAVIE,**

R-96-128 **FLORIDA, APPROVING A SUBDIVISION PLAT AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE. (P 8-2-95, Vista Del Lago, SW 36th Court between SW 130th Avenue and Flamingo Road) Planning and Zoning Division approved subject to the planning report; Planning and Zoning Board approved subject to the planning report as amended**

7.6 **BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING**

R-96-129 **THE BID FOR BUS RENTAL WITH OPERATOR. (Cruisin' Kids Carpool, Inc. \$2,000)**

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- R-96-130 7.7 **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING
THE BID FOR POTTER PARK LANDSCAPING AND AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE A CONTRACT FOR SUCH SERVICES. (Siga, Inc. - \$48,629.05)
- R-96-131 7.8 **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING
THE BID FOR SCBA MASKS. (JJD Associates, Inc. - not to exceed \$14,875)
- R-96-132 7.9 **EXTENDING BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
EXTENDING THE BID FOR MICROFILMING SERVICES. (Leahy Document & Information Management, Inc.)
- R-96-133 7.10 **EXTENDED TRAVEL** - A RESOLUTION OF THE TOWN OF DAVIE,
FLORIDA, AUTHORIZING EXTENDED TRAVEL, ESTIMATED TO COST, \$1,015.00 FOR OFFICER NANCY COOK OF THE DAVIE POLICE DEPARTMENT. (D.A.R.E. Academy)
- R-96-134 7.11 **EXTENDED TRAVEL** - A RESOLUTION OF THE TOWN OF DAVIE,
FLORIDA, AUTHORIZING EXTENDED TRAVEL, ESTIMATED TO COST, \$2,610.00 FOR OFFICER KRISTOPHER KILPATRICK, OFFICER LANCE SELTZER, OFFICER BARRY DODGE, OFFICER JOSEPH SQUARINI, OFFICER ROBERT ANTON AND OFFICER DANIEL LAGUNA OF THE DAVIE POLICE DEPARTMENT. (Special Weapons and Tactics Training)
- R-96-135 7.12 **INVESTMENT POLICY** - A RESOLUTION OF THE TOWN OF DAVIE,
FLORIDA, AMENDING THE TOWN'S WRITTEN INVESTMENT POLICY; AND PROVIDING AN EFFECTIVE DATE.
- R-96-136 7.13 **ASSET MANAGEMENT SERVICES** - A RESOLUTION OF THE TOWN OF
DAVIE, FLORIDA, EXECUTING AN ASSET MANAGEMENT SERVICES AGREEMENT WITH THE FIRM MILLER, ANDERSON, & SHERRERD FOR THE TOWN'S COMMUNITY ENDOWMENT TRUST FUNDS; AND PROVIDING AN EFFECTIVE DATE.
- R-96-137 7.14 **MITIGATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
APPROVING AN EXTENSION FOR PAYMENT OF THE MITIGATED CODE ENFORCEMENT FINE IN CASE NO. 95-154 FROM \$20,900 IN AMOUNT TO \$1,000; AND PROVIDING AN EFFECTIVE DATE. (Vaughn)

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- R-96-138 7.15 **SPECIAL ASSESSMENT MEETING - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, FIXING THE TIME AND PLACE OF A MEETING FOR OWNERS AND ANY OTHER PERSONS INTERESTED IN PROPERTY WHICH IS SUBJECT TO THE SPECIAL ASSESSMENT ESTABLISHED BY RESOLUTION R-96-89 WHICH PROVIDED FOR A SPECIAL ASSESSMENT DISTRICT FOR THE INSTALLATION OF A PUBLIC WATER DISTRIBUTION SYSTEM FOR TRACT 16, SECTION 27, TOWNSHIP 50 SOUTH, RANGE 40 EAST OF FLORIDA FRUITLANDS CO. SUBDIVISION, RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, TOGETHER WITH PORTIONS OF THE SOUTH ONE-THIRD OF THE SOUTHEAST ONE-QUARTER OF SECTION 22, TOWNSHIP 50 SOUTH, RANGE 40 EAST LESS THE ADJOINING PUBLIC AND PRIVATE RIGHTS-OF-WAY; ALSO KNOWN AS LOTS 1 THROUGH 136 OF SUNNYLANE FARMS (UNRECORDED), ALL OF SAID PROPERTY BEING WITHIN THE TOWN OF DAVIE, TO BE HEARD; PROVIDING FOR TEN DAYS NOTICE IN WRITING OF SUCH TIME AND PLACE OF HEARING TO BE GIVEN TO AFFECTED PROPERTY OWNERS; PROVIDING FOR NOTICE OF TIME AND PLACE OF THE HEARING TO BE GIVEN BY TWO PUBLICATIONS IN A NEWSPAPER; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**
- R-96-139 7.16 **AGREEMENT FOR FUNDING - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN BROWARD COUNTY AND THE TOWN OF DAVIE FOR FUNDING BY THE COUNTY UP TO \$175,000 FOR THE INSTALLATION OF WATER TRANSMISSION MAINS IN THE AREA KNOWN AS SUNNYLANE FARMS; AND PROVIDING AN EFFECTIVE DATE**
- R-96-140 7.17 **AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE SCHOOL BOARD OF BROWARD COUNTY AND THE TOWN OF DAVIE SUBJECT TO BUDGETARY APPROVAL; AND PROVIDING AN EFFECTIVE DATE. (School Resource Officers for Western High, Indian Ridge Middle, Davie Elementary, Flamingo Elementary, Hawkes Bluff Elementary, Nova Blanche Forman Elementary, Nova Eisenhower Elementary, and Silver Ridge Elementary Schools)**
- R-96-141 7.18 **ARBORIST SERVICES - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE RANKINGS FOR ARBORIST SERVICES AND AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AN AGREEMENT FOR SUCH SERVICES.**

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**R-96-142 7.19 CHANGE ORDER - A RESOLUTION OF THE TOWN OF DAVIE,
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APPROVING CHANGE ORDER NUMBER ONE FOR THE FLAMINGO
ROAD LANDSCAPING PROJECT.**

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- R-96-143 **7.20 LANDSCAPING AND MAINTENANCE AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OF DAVIE OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN THE TOWN OF DAVIE AND BROWARD ANCHOR INTERNATIONAL, LTD. PROVIDING FOR THE LANDSCAPING AND MAINTENANCE OF CERTAIN UNDEVELOPED RIGHT OF WAY.**
- R-96-144 **7.21 GRANT APPLICATION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE BROWARD COUNTY COMMISSION ON SUBSTANCE ABUSE FOR FUNDING UNDER THE FEDERAL ANTI-DRUG ABUSE ACT; PROVIDING FOR MATCHING FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE**
- R-96-145 **7.22 COLLEGE AVENUE IMPROVEMENTS - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING CHANGE ORDERS NO. 1 AND 2 FOR COLLEGE AVENUE IMPROVEMENTS TO RECONCILIATE FINAL QUANTITIES AND PROVIDE FOR THE OVERLAY OF S.W. 39TH STREET.**

Ordinances - First Reading (Public Hearing to be held on May 15, 1996)

7.23 CORRECTIVE REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING ORDINANCE NO. 96-1 WHICH WAS AN ORDINANCE CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN FROM O TO B-2; AMENDING THE ZONING MAP OF SAID TOWN TO COMPLY THERE WITH; AND PROVIDING AN EFFECTIVE DATE. (ZB 10-2-95, 3001 South University Drive)

Mr. Webber asked that 7.3 be removed from the Consent Agenda. Mayor Venis asked that items 7.15 and 7.16 be removed.

Vice-Mayor Cox made a motion, seconded by Councilmember Santini, to approve the Consent Agenda without items 7.3, 7.15, and 7.16 (item 7.4 was previously tabled). Town Clerk Reinfeld read the ordinance - first reading by title only. Mayor Venis advised that a public hearing on item 7.23 would be held on May 15, 1996. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

7.3 Mr. Webber advised that page four, paragraph six had been amended and the amendments had been distributed.

Vice-Mayor Cox made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mayor Venis indicated that item 9.1 would be heard at this time. There were no

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objections noted.

9.1 Town Clerk Reinfeld read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance.

Debbie Orshefsky, representing the property owner, thanked Council and staff for its work on this matter.

As no one spoke, Mayor Venis closed the public hearing.

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Councilmember Santini made a motion, seconded by Councilmember Kiar, to approve item 9.1. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

7.15 Utilities Director Daniel Colabella explained that this resolution set a hearing for Council to hear the costs involved with the project.

Vice-Mayor Cox made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

7.16 Mayor Venis advised that the County was paying \$175,000 towards the construction of the water system.

Councilmember Bush made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8. SITE PLANS

8.1 SP 1-4-96, Buckram Oak Holdings, N.V., 2700 - 3200 Nob Hill Road (E) (tabled from April 17, 1996) *Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the planning report*

Harold Jackson, representing the petitioner, was present. Michele Mellgren, Development Services Director, read the planning report.

Vice-Mayor Cox advised that this area was a major link to the trail system.

Vice-Mayor Cox made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.2 SP 2-2-96, Forest Lawn South, 2401 SW 64 Avenue (A-9, County) *Planning and Zoning Division approved; Site Plan Committee approved*

Noel Merwarth, representing the petitioner, was present. Ms. Mellgren read the planning report.

Vice-Mayor Cox made a motion, seconded by Councilmember Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.3 SP 2-5-96, Office and Warehouse Building for Pelican Bays VIII, 4651 SW 51 Street (M-2) *Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the planning report and changing the stockade fencing to the metal insert fencing*

Sam Engel, representing the petitioner, was present. Ms. Mellgren read the planning report.

Councilmember Santini made a motion, seconded by Councilmember Bush, to

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approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

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8.4 SP 4-7-96, Concession Stand for Bamford Sports Complex, 3800 SW 92 Avenue (RS) *Planning and Zoning Division approved; Site Plan Committee approved*

Ms. Mellgren read the planning report.

Councilmember Santini made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.5 SP 4-9-96, St. Bernadette Catholic Church, 7450 Stirling Road (CF) *Planning and Zoning Division approved; Site Plan Committee approved*

Ben Lopez, representing the petitioner, was present. Ms. Mellgren read the planning report.

Vice-Mayor Cox made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Sign Request

8.6 S 4-2-96, Discount Auto Parts, 8401 Orange Drive (B-2) *Planning and Zoning Division approved; Site Plan Committee denied based on the intensity of the yellow color on the back-lit part of the sign*

Paul Taylor, representing the petitioner, was present and discussed the request. Ms. Mellgren advised that she had tried to work with the petitioner on this sign but had met with resistance.

Councilmember Santini stated that she did not like the colors for a residential neighborhood. Vice-Mayor Cox advised that the Site Plan Committee's problem was the intensity with the yellow color. She added that the petitioner had made concessions on the landscaping. Discussion followed.

Councilmember Bush made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - no. (Motion carried 4-1)

9. PUBLIC HEARINGS

Ordinances - Second and Final Reading

9.1 ANNEXATION - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA

96-18 ANNEXING TO THE TOWN OF DAVIE THE PROPERTY KNOWN AS EVERGLADES LAKES MOBILE HOME COMMUNITY LOCATED AT THE WEST 101.81 FEET OF TRACT 7, TIER 15; TRACTS 5, 6 AND 7, TIER 17 LESS THAT PORTION OF TRACT 5 TAKEN FOR SUNSHINE STATE TURNPIKE RIGHT-OF-WAY; TRACTS 5, 6 AND 7, TIER 19; TRACT 5, TIER 21, LESS THE WEST 245 FEET OF THE NORTH 497.50 FEET AND ALL OF TRACTS 6 AND 7, TIER 21; ALL OF TRACTS 5 AND 6, TIER 15 LYING WESTERLY OF THE WEST RIGHT-OF-WAY LINE OF THE SUNSHINE STATE TURNPIKE, NEWMAN'S SURVEY, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 26 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; SAID LANDS

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LYING AND BEING IN BROWARD COUNTY, FLORIDA.
This item was approved previously in the meeting.

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9.2 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE,

96-19 FLORIDA, AMENDING SECTION 12-33 (HH) OF THE CODE OF THE TOWN OF DAVIE ENTITLED YARD ENCROACHMENTS, BY ADDING THERETO SECTION 12-33(HH) PARAGRAPH (4); PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Town Clerk Reinfeld read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance.

Jay Stahl, 5801 Surrey Circle West, recommended that the Planning and Zoning Board receive copies of the full amendments prior to the Town receiving supplements to the Code.

Ms. Mellgren and Gayle Easterling, Town Planner, explained the ordinance.

Mayor Venis closed the public hearing.

Councilmember Bush made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

9.3 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE,

96-20 FLORIDA, AMENDING SECTION 12-81, TABLE 12-81A OF THE CODE OF DAVIE ENTITLED CONVENTIONAL SINGLE-FAMILY DEVELOPMENT STANDARDS AND SECTION 12-503 ENTITLED DEFINITIONS TO INCORPORATE OTHER BODIES OF WATER PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Town Clerk Reinfeld read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance.

Michael Davenport, 14041 SW 22 Place, asked for an explanation which Ms. Mellgren explained. Mr. Davenport asked if this change would be retroactive. Ms. Mellgren replied in the negative. Mr. Davenport indicated that he was in favor of the amendments.

Mayor Venis closed the public hearing.

Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

9.4 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE,

96-21 FLORIDA, AMENDING SECTION 12-33(A) OF THE CODE OF THE TOWN OF DAVIE ENTITLED ACCESSORY USES AND STRUCTURES, BY RENUMBERING SECTION (A) AND ADDING THERETO SECTION 12-33A (8) ENTITLED GUEST HOUSE OR COTTAGE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Town Clerk Reinfeld read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance.

Ms. Mellgren explained the ordinance.

Debbie Apolinario discussed group homes. A lengthy discussion followed.

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An unidentified man (Michael Davenport) discussed not being able to regulate "ugliness".

Mayor Venis closed the public hearing.

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Councilmember Santini made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

**9.5 PLANNING AND ZONING BOARD TABLED TO MAY 2
1996; COUNCIL CAN TABLE TO JUNE 5 1996**

LAND USE PLAN AMENDMENT - LA 96-1, Westwind Contracting, Inc., located on the south side of State Road 84 approximately 1/2 mile east of Flamingo Road (from R-5 to Commercial) (tabled from April 17, 1996)

This item was tabled to June 5, 1996 previously in the meeting.

9.6 WITHDRAWN BY PETITIONER

REZONING - ZB 11-4-95, Craven Thompson and Associates, Inc./Florida Dairy Farmers Association, 4500 Oakes Road (M-1, County, to M-3, Davie) (tabled from April 2, 1996)

This item was withdrawn by the petitioner.

9.7 LAND USE PLAN AMENDMENT - LA 96-2, Associated Engineers & Surveyors, Inc./Talmadge, Herndon and Herndon, located on the south side of SW 48 Street approximately 800 feet west of Griffin Road (from R-5 to M-2) *Planning and Zoning Division approved; Planning and Zoning Board approved subject to the deed restrictions*

As the petitioner was familiar with the Town's procedures, Mr. Webber asked the petitioner if he was agreeable to waiving the formal reading of the rules. An unidentified man (Gus Aguirre) replied affirmatively. Town Clerk Reinfeld swore in the witnesses.

Ms. Easterling read the planning report and stated that the following documents were to be included into the record: the application, the subject site map, planning report, and an aerial.

An unidentified man (Gus Aguirre), representing the petitioner, concurred with staff's recommendation. He agreed that deed restrictions would be offered.

Mr. Webber asked if anyone wished to provide testimony in favor of or opposition to the land use plan amendment. No one spoke.

Mr. Webber stated that the hearing was concluded and Council could deliberate.

Councilmember Bush made a motion, seconded by Councilmember Kiar, to approve subject to the deed restrictions. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

10. RESOLUTION

10.1 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
AUTHORIZING

R-96-146 THE MAYOR TO TRANSMIT A LAND USE PLAN AMENDMENT TO THE BROWARD COUNTY PLANNING COUNCIL WITH APPROPRIATE RECOMMENDATIONS; AND PROVIDING AN EFFECTIVE DATE. (LA 96-2, 5100 Griffin Road)

Town Clerk Reinfeld read the resolution for approval by title.

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Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

11. APPOINTMENTS

11.1 Planning and Zoning Board (exclusive appointments - Councilmember Bush, Councilmember Kiar and Vice-Mayor Cox)

Councilmember Bush appointed Joe Brill. Vice-Mayor Cox appointed Hertz Halperin. Councilmember Kiar appointed George Greb. There were no objections.

11.2 Affirmation of the Community Redevelopment Agency's Selection of Chairman and Vice-Chairman (Chairman - Neal Kalis; Vice-Chairman - Lowell Goode)

Councilmember Santini indicated that the Agency had not "moved for years" and it had the same Agency members. She wanted the Community Redevelopment Agency (CRA) to redevelop and if this meant new Agency members, then she thought the affirmation of Chairman and Vice-Chairman should wait. Vice-Mayor Cox agreed and indicated that the proposed chairman did not have a business in the downtown and was not a resident. She added that Agency members should either reside in the Town or have a business in the downtown and questioned if this could be determined. Mr. Webber advised that the document that created the CRA would have to be reviewed. Councilmember Santini added that the CRA needed to work with the Davie/Cooper City Chamber of Commerce and Dr. Rosenbaum. Councilmember Kiar stated that Mr. Kalis was very dedicated with regard to time and energy.

Councilmember Santini suggested that a workshop be held between Council, the Joint Economic Development Steering Committee and the CRA.

Mayor Venis indicated that this item would be returned to the CRA.

11.3 Child Safety Board (exclusive appointments - Vice-Mayor Cox and Councilmember Santini; terms expire July 1996)

Vice-Mayor Cox appointed Doreen Hixon. Councilmember Santini appointed Ron Adderley. There were no objections.

12. DISCUSSION

12.1 Community Development District (Thumper Lakes)

Irving Rosenbaum stated that a Community Development District (CDD) was a tool that could be used to preserve the Town's low density character. He added that this type of district provided assistance to the property owner and indicated that the home buyer received full disclosure. Dr. Rosenbaum advised that there was no liability to the Town and the administrative costs of special assessments were borne by the property owner.

Councilmember Santini asked for a list of advantages and disadvantages of a CDD. Christopher Wallace, Director of Budget and Finance, agreed with Dr. Rosenbaum that there was no obligation for the CDD from a financial point of view and the other issues were more political in nature. Councilmember Santini questioned the benefit to the Town. Dr. Rosenbaum replied better quality housing and houses that fit into the Town's historical theme.

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Mr. Flatley advised that the Town was currently in litigation with the Thumper Lakes development. Mr. Webber indicated that later in the meeting, a resolution would be added regarding the abatement of the litigation until the issues were resolved.

Councilmember Santini questioned if the litigation would continue if Council did not approve this issue. Wilson Atkinson, representing the petitioner, advised that the petitioner had been able to eliminate the walled in community and reduce the density which would conform to the R-1 zoning. He indicated that this type of district would allow for a quality project at a quicker point in time and at a cost that a developer could better absorb.

Mr. Webber stated that he anticipated an agreement to abate the action and the Town would then have to enter into a stipulation that would provide various contingencies. He indicated that if the contingencies were met, there would be a dismissal of the action that would conclude the issue.

Mr. Atkinson reiterated that the creation of a CDD was a funding mechanism that the petitioner supported "on its own shoulders" and the petitioner would have to comply with the Zoning Code, site planning, platting, and impact fees.

Mayor Venis indicated that he was in favor of creating a CDD and questioned that if the Town lost the lawsuit, the petitioner would have the right to develop under the Estate district. Mr. Webber replied in the affirmative.

An unidentified man (Michael Davenport) questioned the proposed CDD's role. Mayor Venis replied that the role was a financing mechanism.

An unidentified woman (Debbie Apolinario) questioned if the proposed CDD set a precedent. Mr. Webber replied negatively and indicated that Council could create a CDD if it felt that was in the best interest of the citizens to enhance the development. He added that Council retained the determination to create a CDD.

Councilmember Kiar made a motion, seconded by Councilmember Bush, to direct staff move forward and to prepare an ordinance. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

RESOLUTIONS. Mayor Venis advised that resolutions needed to be added to the agenda. Town Clerk Reinfeld read a resolution by title.

Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to add item 12.2. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

12.2 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA
ACCEPTING
R-96-147 DESIGNATION AS A METROPOLITAN CITY AND RECEIVING
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FOR FISCAL
YEAR 1997

Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to approve item 12.2. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Town Clerk Reinfeld read a resolution by title only.

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Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to add item 12.3. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

**12.3 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA
SUPPORTING**

R-96-148 **SELECTED LEGISLATIVE BILLS REGARDING LAND USE QUASI-JUDICIAL PROCEEDINGS AND THE TAX EQUITY ACT; AND OPPOSING LEGISLATIVE BILLS REGARDING POLICE AND FIRE PENSIONS AS PRESENTED DURING THE 1996 LEGISLATIVE SESSION.**

Councilmember Bush made a motion, seconded by Councilmember Santini, to approve item 12.3. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Town Clerk Reinfeld read a resolution by title only.

Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to add item 12.4. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

**12.4 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA
AUTHORIZING**

R-96-149 **THE TOWN'S LEGAL COUNSEL TO ENTER INTO A STIPULATION FOR ORDER ABATING ACTION BETWEEN SUN BANK OF OCALA, TRUSTEE, PETITIONER, AND THE TOWN OF DAVIE, RESPONDENT; IN CASE NO. 95-13493(02) PENDING IN THE BROWARD COUNTY CIRCUIT COURT; AND PROVIDING AN EFFECTIVE DATE.**

Councilmember Santini made a motion, seconded by Councilmember Kiar, to approve item 12.4. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

13. TOWN ADMINISTRATOR'S REPORT

13.1 Driftwood Estates Update

Mr. Rawls advised that the residents' concerns were with police services, Code Enforcement, recreational programs, traffic safety and roadways. He stated that staff had addressed the issues and outlined the specific areas.

Vice-Mayor Cox suggested that the residents visit areas in Ft. Lauderdale to look at measures taken to slow down traffic. Mr. Rawls advised that he had received the technical details on the "speed humps".

Dave Kaplan, 7791 NW 33 Street, thanked the Town for its efforts and questioned if the cracked sidewalks would be repaired. Mr. Rawls advised that a number of sidewalks had been repaired and additional sidewalks would be repaired.

Mr. Kaplan indicated that signs had been removed at the cross-street and there seemed to be a need for these signs. Mr. Rawls advised that these were not a regulatory or permitted type sign.

Mr. Kaplan hoped the Town would work with Habitat for Humanity to "tie" into

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the park and to try to stop the flow of traffic through 33rd Street.

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Mr. Kaplan stated that in case the elongated speed bumps could not be used, he suggested that the roads be blocked off completely.

TREE DISCOUNT PROGRAM. Mr. Flatley advised that the tree discount program held during Earthweek, was successful and the participating nurseries wanted to be involved next year.

DRIFTWOOD ESTATES. Mr. Hill, 7710 NW 33 Street, indicated that his main concern was with the County's wanting to increase the speed limit. He stated that Council needed to listen to the residents as the County's study was not true. Mr. Hill said that something needed to be done to slow down the traffic.

Seth Rollins, 7790 NW 34 Street, questioned how many hours the police patrolled the area per month and indicated that the patrols had dwindled off.

Mr. Rollins added that he wanted to become involved in the tree program.

12.3 Mayor Venis asked for an explanation regarding the pension bill. Mr. Flatley explained that this pension issue would become very costly to cities should it pass since changes had been made. Mr. Wallace explained the proposed 175 and 185 changes.

Mayor Venis and Councilmember Kiar indicated that they would like to see future bills before considering.

14. ADJOURNMENT

There being no objections or further business, the meeting was adjourned at 11:53 p.m.

APPROVED _____

Mayor/Councilmember

Town Clerk